Report on the Administration of Criminal Justice in the State for the year 1925-26.

READ—

The Report on the administration of Criminal Justice in the State for the year 1925-26, received from the Registrar, Chief Court, with his letter No. P. 41-25-26, dated 8th October 1926.

ORDER NO. P. 2460-8—CTS. 130-26-3, DATED 6TH DECEMBER 6921.

Recorded.

2. *Offences Reported.*—There was a decrease in the total number of offences reported in the State during the year under report, *viz.*, from 19,233 in 1924-25 to 18,452, the decrease being contributed by all the districts except Mysore, Shimoga and Kadur. The location of the Special Magistrates' Courts in urban centres far away from the villages is stated to be partly the cause of the fall in the number of offences reported. Altogether 35,132 persons were brought to trial against 37,748 in 1924-25. Of these, 7,690 or 21·88 per cent were convicted and 21,074 or 59·98 per cent were acquitted or discharged against 22·5 per cent and 59·5 per cent, respectively, in the previous year. There were 5,935 persons pending trial at the end of the year against 6,277 in 1924-25.

3. *Average Duration.*—The average duration of cases in the Courts of the Stipendiary Magistrates fell from 49·43 days in 1924-25 to 45·8 days in 1925-26, while it rose slightly in the Courts of the Bench Magistrates from 35·77 to 36·8 days. The average duration in the Court of the Bench Magistrate at Honnali continued to be high, *viz.*, 160 days for 27 cases disposed of. It is reported that this is due to the irregular sittings of the Magistrates and that action is being taken to improve the work of the Court. If the existing Magistrates do not evince sufficient interest in their work, they may be replaced by others.

4. *Witnesses.*—The number of witnesses actually examined in the Courts of Magistrates was 43,183 against 47,855 in the year 1924-25. The number detained for more than three days decreased from 113 in 1924-25 to 80 in the year under report. Information as to the total number of witnesses that attended the Magistrates' Courts has not been furnished as required in the review on the report for 1924-25 and this is explained as due to the District Magistrates of Mysore, Shimoga, Chitaldrug and Kadur not having furnished the information in spite of a pre-requisition therefor. The explanation of the District Magistrates concerned may be obtained and submitted.

5. *Heinous Offences.*—There was a general fall under this head, the fall being considerable under 'Homicide', *viz.*, from 32 in the year 1924-25 to 15 in the year under review, of which 14 were cases of murder. 'Rape' and 'Grievous Hurt' showed a rise, the figures being 6 and 232, respectively, against 4 and 104 in the previous year.

6. *Sessions Work.*—Including the pending cases, there were for disposal 129 cases against 135 in the previous year. The number of cases disposed of was 112 leaving 17 cases pending at the end of the year. The disposals kept pace with the institutions, but the average duration rose from 39·35 days during 1924-25 to 43·3 days in the year under review. The reason for the rise in the duration is stated to be the intervention of the annual vacation as the cases which were received just before the vacation had to be posted to dates after the vacation. Government do not consider this a satisfactory reason.

7. *Trial by Jury.*—Twenty-seven cases were tried by jury against 17 in 1924-25 and the Judges agreed with the verdict in 24 cases and the remaining 3 cases in which they wholly disapproved of the verdict were referred to the Chief Court under Section 307, Criminal Procedure Code.

8. *Preventive Jurisdiction.*—Forty-five persons against 83 in 1924-25 were ordered to give security and 23 of them were imprisoned against 19 in the previous year in default of furnishing security. Though there was a fall in the number of persons sentenced to short terms of imprisonment, *viz.* from 813 in 1924-25 to 636 in 1925-26, there is still some scope for more improvement in this direction. It is unsatisfactory that there was a decrease in the number of persons dealt with under Section 562, Criminal Procedure Code, *viz.*, from 64 to 40, which points to an insufficient use of the provisions of Section 562 on the part of the Magistrates. The attention of the District Magistrates is drawn to the remarks of Government in their reviews of the previous years' reports and they are requested to bear them in mind while scrutinising the calendars of Subordinate Magistrates.

9. *Appellate Work of the Subordinate Courts.*—The total number of appellants before Magistrates as well as Sessions Judges was 1,075 as against 1,178 in the year 1924-25. Of these, appeals of 726 persons were before Magistrates and of 349 before Sessions Judges. There was an appreciable improvement in the disposal of appeals both by the Sessions Judges and Magistrates and also a marked reduction in the average duration of appeals, *viz.*, 37·7 against 44·4 days in 1924-25, in the Courts of the Magistrates and 34·7 against 37·3 in 1924-25, in the Courts of Sessions Judges. The District Magistrates disposed of 10 cases as against 14 in the previous year.

10. *Chief Court Work.*—The number of appeals filed in the Chief Court was 113 against 153 in 1924-25. Of these, eight were transferred to the Court of the Sessions Judge, Bangalore Division, for disposal. Including 22 appeals pending from the previous year, there were in all for disposal 127 appeals as against 176 in the year 1924-25. Of these, 106 appeals were disposed of leaving 21 appeals of 37 persons pending at the end of the year. The average duration of appeals has been on the rise during the past three years, the figures being 43·98 days in the year 1923-24, 48·8 days in 1924-25 and 52·65 days in the year under review. Government consider this to be unsatisfactory. It is hoped that this tendency towards a rise will be checked.

11. *Work of the Special Magistrates.*—The Separation Scheme was extended to the Chitaldrug District, during the year, thus completing the introduction of the scheme to the whole State. Including the cases pending at the end of the previous year, there were 8,086 cases for disposal in all the Special Magistrates' Courts, of which 6,891 cases were disposed of leaving 1,195 cases pending. Though the disposals rose during the year, *viz.*, to 85 per cent as against 84 per cent during the year previous, it is observed that in the City Magistrate's Court, Bangalore, Special First Grade Magistrates' Courts, Bangalore, Chikmagalur and Kolar Gold Fields, Special First Class Magistrates' Courts of Closepet, French-Rocks, Hassan and Chikballapur and Special Second Class Magistrates' Courts of Hole-Narasipur, Mandya and Shimoga, the disposals did not keep place with the institutions. The District Magistrates are requested to impress on the Magistrates of these Courts the need for greater promptness on their part in the disposal of cases.

12. *Bench Courts.*—The Honorary Bench Magistrates disposed of 7,111 cases against 6,826 in the previous year. The number of cases left pending was 1,064. It is satisfactory to note that the number of cases disposed of by the Bench Magistrates is on the increase and that generally the Magistrates evince interest in their work, though, in some instances there is cause for complaint and scope for improvement.

13. *Inspections*—The Chief Judge inspected all the Courts of the District Magistrates except the District Magistrate's Court, Chitaldrug, and eleven Special First Class Magistrate's Courts and Mr. Justice D. K. Rama Rao inspected the District Magistrate's Court, Chitaldrug. The District Magistrates inspected all the courts in their respective districts except the District Magistrates, Mysore and Shimoga, who did not inspect a few Bench Courts.

14. *General.*—The question of adjustment of work among the Magistrates has been investigated by the Laws Delays Committee and the opinion of the Chief Court on their recommendations is awaited.

B. NAGAPPA,
Secretary to Government,
Local and Legislative Departments.

Handbook on Income-tax Land and Procedure.

ORDER NO. FL. 4551-62—I. T. 27-26, DATED 7TH DECEMBER 1926.

Representations having been made in the Representative Assembly and the Legislative Council that the technical details of the Income-tax Regulation were difficult to understand particularly by traders and businessmen and that certain sample forms for the maintenance of accounts might be prescribed by the department, the Commissioner of Income-tax was requested to publish a pamphlet both in English and Kannada explaining the principal features of the Incom-tax Regulation.

2. The Commissioner of Income-tax has accordingly published with the approval of Government "A Handbook on Income-tax Law and Procedure" for the guidance of assessees both in English and Kannada explaining the provisions of the Income-tax Regulation and also giving specimen statements of accounts for certain businesses.

3. Copies of the publication are made available for sale at 4 annas a copy to the public at the Government Book Depot, Bangalore, and at all Income-tax Offices in the State.

B. NAGAPPA,
Secretary to Government,
Local and Legislative Departments.

RAILWAY SECRETARIAT.

Reduction of Fares in the Mysore Railways.

READ—

Government Order No. R. S. 1742-47—Ry. F. 130 O. L. 22-23, dated 22nd January 1923, sanctioning among others the first and second class passenger fares on Mysore Railways from 15th February 1923.